

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

4TH DIMENSION TECHNOLOGY, a
Washington corporation, d/b/a 4TH
DIMENSION COMPUTERS &
TECHNOLOGY; and DANIEL
PHILLIPS, an individual,

Defendants.

No. C13-05234-BHS

ORDER REGARDING PERMANENT
INJUNCTION AGAINST DEFENDANT

Pursuant to the stipulation of Plaintiff Microsoft Corporation ("Microsoft"), and Defendant 4th Dimension Technology, Inc., a Washington corporation doing business as 4th Dimension Computers & Technology ("Defendant"), the Court hereby orders that Defendant, along with its directors, principals, officers, agents, servants, employees, representatives, successors and assigns, and all those persons or entities acting in concert or participation with it, shall be and hereby are **PERMANENTLY ENJOINED** and restrained from:

(a) imitating, copying, or making any other infringing use or infringing distribution

ORDER REGARDING PERMANENT
INJUNCTION – 1
Case No. C13-05234-BHS
41826-5600.0058/LEGAL26900841.1

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1 of software programs, components, end user license agreements ("EULA"), certificates of
2 authenticity ("COAs"), or items protected by Microsoft's registered trademarks and service mark,
3 including, but not limited to, the following Trademark Registration Nos.:
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- 7 (1) 1,200,236 ("MICROSOFT");
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9 (2) 1,256,083 ("MICROSOFT");
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11 (3) 1,872,264 ("WINDOWS"); and
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13 (4) 2,744,843 (COLORED FLAG DESIGN);
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17 or the software programs, components, EULAs, COAs, items or things protected by Certificate
18 of Copyright Registration No. TX 5-407-055 ("Windows XP Professional") and any other works
19 now or hereafter protected by any of Microsoft's trademarks or copyrights;
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23 (b) manufacturing, assembling, producing, distributing, offering for distribution,
24 circulating, selling, offering for sale, advertising, importing, promoting, or displaying any
25 software program, component, EULA, COA, item or thing bearing any simulation, reproduction,
26 counterfeit, copy, or colorable imitation of any of Microsoft's registered trademarks or service
27 mark, including, but not limited to, the Trademark and Service Mark Registration Nos. listed in
28 Paragraph (a) above;
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37 (c) using any simulation, reproduction, counterfeit, copy, or colorable imitation of
38 Microsoft's registered trademarks or service mark including, but not limited to, the Trademark
39 and Service Mark Registration Nos. listed in Paragraph (a) above, in connection with the
40 manufacture, distribution, offering for distribution, sale, offering for sale, advertisement,
41 promotion, or display of any software, component, EULA, COA, item or thing not authorized or
42 licensed by Microsoft;
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(d) using any false designation of origin or false description which can or is likely to lead the trade or public or individuals erroneously to believe that any software, component, EULA, COA, item, or thing has been manufactured, produced, distributed, offered for distribution, advertised, promoted, displayed, licensed, sponsored, approved, or authorized by or for Microsoft, when such is in fact not true;

(e) engaging in any other activity constituting an infringement, under applicable law, of any of Microsoft's trademarks, service mark and/or copyrights, or of Microsoft's rights in, or right to use or to exploit these trademarks, service mark, and/or copyrights or constituting any dilution of Microsoft's name, reputation, or goodwill; and

(f) assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in paragraphs (a) through (e) above.

IT IS SO ORDERED:

Dated this 11 day of July 2013.

BY THE COURT:



The Honorable Benjamin H. Settle
United States District Judge

Presented by:

PERKINS COIE LLP

By: s/Holly M. Simpkins
Holly M. Simpkins, WSBA #33297
Attorneys For Plaintiff